GOVERNMENT OF INDIA
COMMUNICATIONS
LOK SABHA

UNSTARRED QUESTION NO:626
ANSWERED ON:28.02.2000
RECONSTITUTION OF TRAI
RAM SHAKAL;SUSHIL KUMAR SAMBHAJIRAO SHINDE

Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether the Government have decided to disband the Telecom Regulatory Authority of India (TRAI) and appoint a new body in its place, while divesting it of judicial powers;

(b) if so, the details thereof and the reasons therefor;

(c) the criteria laid down for the nomination of members of the TRAI; and

(d) the date on which it was reconstituted and the composition thereof? *****

Answer

MINISTER OF STATE FOR COMMUNICATIONS

(SHRI TAPAN SIKDAR)
(a) to (d): With a view to strengthen the Telecom Regulatory Authority of India (TRAI), Govt. promulgated the Telecom Regulatory Authority of India (Amendment) Ordinance, 2000 on 24th January, 2000.
The Ordinance brings about certain structural changes in the Telecom Regulatory Authority of India Act 1997. Additional functions have also been
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entrusted to TRAI, and a clear distinction has been made between its recommendatory/ advisory functions and its regulatory functions. Furthermore, it has been made statutorily mandatory for Govt. to seek recommendations of TRAI in respect of certain licensing matters.
TRAI has also been reconstituted and shall now consist of a Chairperson, and not more than two whole time Members and not more than two part-time Members to be appointed by the Central Government. The Chairperson and other Members of TRAI shall be appointed by the Central Government from amongst persons who have special knowledge of, and professional experience in, telecommunication, industry, finance, accountancy, law, management or consumer affairs. The Government has already taken action for reconstituting TRAI, and have approved appointments to the posts of Chairperson and Members.
As it was conceptually inappropriate that the recommending authority and the adjudicatory authority be the same, it was also felt necessary to restructure and strengthen the dispute settlement mechanism. Accordingly, Chapter IV of the TRAI Act 1997, under which TRAI had got limited adjudicatory powers, has been replaced, to provide for the establishment of a separate disputes redressal body, known as the `Telecom Disputes Settlement and Appellate Tribunal`, to adjudicate any dispute between a licensor and a licensee, between two or more service providers, between a service provider and a group of consumers, and to hear and dispose of appeals against any direction, decision or order of TRAI.